



Order Filed on June 14, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**Robertson, Anschutz, Schneid, Crane & Partners,
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Aleisha C Jennings (049302015)

In Re:

Edward Spinola,

Debtor.

Case No.: 18-27244-MBK

Chapter: 13

Hearing Date: June 14, 2023

Judge: Michael B. Kaplan

Recommended Local Form:

☒ Followed

☐ Modified

ORDER VACATING STAY and CO-DEBTOR STAY

The relief set forth on the following page, is hereby **ORDERED**.

DATED: June 14, 2023

A handwritten signature in black ink, appearing to read "Michael B. Kaplan", is written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtors: Edward Spinola

Case No.: 18-27244-MBK

Caption of Order: **Order Vacating Stay**

Upon the motion of PHH Mortgage Corporation as servicer for Cascade Funding Mortgage Trust HB5 ("Secured Creditor") under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain property and Co-Debtor Stay pursuant to 11 U.S.C. §1301 (c) as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue Secured Creditor's rights in regard to the following:

☒ Real property more fully described as:

203 Pingree Avenue, Trenton, New Jersey 08618

It is further ORDERED that Secured Creditor, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff's sale (purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that Secured Creditor may join the Debtor(s) and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other Chapter of the Bankruptcy Code.

It is further ORDERED that the Co-Debtor stay under 11 U.S.C. 1301 (c) is vacated.

Secured Creditor shall serve this Order on the Debtor(s), any trustee, and any other party who entered an appearance on the motion.